

REMARKS

The Examiner has rejected claims 11-20 under 35 USC 101 as being directed to non-statutory subject matter. Specifically, the Examiner has interpreted claims 11 - 20 as claiming a "signal" considered non-statutory subject matter according to the interim guidelines for examination of patent applications. Applicant disagrees with this assertion.

The definition of computer readable storage medium, both on its face and as interpreted by the specification, refers to a tangible physical medium not an ethereal "signal". A signal cannot store the computer program product. The computer readable storage medium can, however, encompass a device that can, in conjunction with one or more other devices, transmit or propagate the computer program product to another computer readable storage medium. The mere fact that computer program code can be moved from one computer readable storage medium to another does not necessarily indicate that the claims as written and described in the present application are attempting to claim a "signal" per se. The claims quite clearly indicate that the subject matter is tangible with respect to the term "medium" thereby excluding the concept of an ethereal "signal" as a storage medium. Thus, reconsideration and withdrawal of the 35 USC 101 rejection of claims 11 - 20 is requested.

The Applicants believe they have responded to all of the concerns raised by the Examiner. Reconsideration of this application as amended is hereby respectfully requested.

The Examiner is authorized to charge any fees required and not paid herein, or credit any overpayment to Deposit Account 13-4365.

Respectfully submitted,

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